

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION**

<b>RANDY MILAM,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No.: 1:15-CV-1371-VEH</b>
	)	
<b>TRI-STATE ADJUSTMENTS</b>	)	
<b>INCORPORATED,</b>	)	
	)	
<b>Defendant.</b>	)	

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**ORDER DISMISSING CASE**

On November 9, 2016, Plaintiff filed a response (doc. 24) to this court's Show Cause Order (doc. 23) requesting that this case be dismissed. Rule 41(a)(2) addresses dismissals by court order and states that an action

may be dismissed at the plaintiff's request only by court order, on terms that the court considers proper. If a defendant has pleaded a counterclaim before being served with the plaintiff's motion to dismiss, the action may be dismissed over the defendant's objection only if the counterclaim can remain pending for independent adjudication. Unless the order states otherwise, a dismissal under this paragraph (2) is without prejudice.

FED. R. CIV. P. 41(a)(2). As Defendant has not pleaded a counterclaim, and as the court considers Plaintiff's request proper, this case is hereby **DISMISSED WITHOUT PREJUDICE**, costs taxed as paid.

**DONE** and **ORDERED** this the 10th day of November, 2016.

A handwritten signature in black ink, appearing to read "V. Emerson Hopkins", written over a horizontal line.

**VIRGINIA EMERSON HOPKINS**

United States District Judge